## Before the Federal Communications Commission Washington, D.C. 20554

In the Matter of	)	
North American Broadcasting Company, Inc.	)	File No.: EB-02-SD-197 NAL/Acct. No. 200232940007
Licensee of KFNX(AM)	)	FRN 0007-2982-68
Cave Creek, Arizona	)	
	)	
2001 N. 3rd Street, Suite 102	)	
Phoenix AZ 85004	ĺ	

## FORFEITURE ORDER

Adopted: January 28, 2003 Released: January 30, 2003

By the Chief, Enforcement Bureau:

- 1. In this *Forfeiture Order* ("*Order*"), we issue a monetary forfeiture in the amount of four thousand dollars (\$4,000) to North American Broadcasting Company, Inc. ("North American"), licensee of Station KFNX(AM), Cave Creek, Arizona, for willful violation of Section 73.1560(a)(1) of the Commission's Rules ("Rules"). The noted violation involves North American's failure to reduce transmitter output power in accordance with its station authorization.
- 2. On August 30, 2002, the District Director of the Commission's San Diego, California Field Office ("San Diego Office") issued a *Notice of Apparent Liability for Forfeiture* ("*NAL*") in the amount of \$4,000 to North American.<sup>2</sup> North American has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.
- 3. **ACCORDINGLY, IT IS ORDERED THAT**, pursuant to Section 503(b) of the Communications Act of 1934, as amended ("Act"),<sup>3</sup> and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules,<sup>4</sup> North American Broadcasting Company, Inc. **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$4,000 for willfully violating Section 73.1560(a)(1) of the Rules.
- 4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.<sup>5</sup> Payment shall be made by mailing a check or similar instrument, payable to the order of the "Federal Communications Commission," to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note NAL/Acct. No. 200232940007, and FRN 0007-

47 C.F.R. § 73.1360(a)(1)

<sup>&</sup>lt;sup>1</sup> 47 C.F.R. § 73.1560(a)(1).

<sup>&</sup>lt;sup>2</sup> Notice of Apparent Liability for Forfeiture, NAL/Acct. No. 200232940007 (Enf. Bur., San Diego Office, released August 30, 2002).

<sup>&</sup>lt;sup>3</sup> 47 U.S.C. § 503(b).

<sup>&</sup>lt;sup>4</sup> 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

<sup>&</sup>lt;sup>5</sup> 47 U.S.C. § 504(a).

2982-68. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.<sup>6</sup>

5. **IT IS FURTHER ORDERED THAT** a copy of this *Order* shall be sent by first class mail and certified mail, return receipt requested, to North American Broadcasting Company, Inc., 2001 N. 3<sup>rd</sup> Street, Suite 102, Phoenix, Arizona 85004.

## FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon Chief, Enforcement Bureau

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<sup>&</sup>lt;sup>6</sup> See 47 C.F.R. § 1.1914.